

**CAPAFR Response Senate Plan Submitted on June 28, 2011  
(Southern California Districts Submitted as Unity Districts  
by CAPAFR, AARC and MALDEF)  
Plan Summary**

Introduction

This statewide plan for proposed Senate districts is submitted to the Citizens Redistricting Commission by the Coalition of Asian Pacific Americans for Fair Redistricting (CAPAFR), with support and assistance provided by the Asian Pacific American Legal Center (APALC).

The Southern California portion of the plan is submitted as a set of proposed “unity” districts by the following three entities:

- CAPAFR;
- African American Redistricting Collaborative (AARC); and
- Mexican American Legal Defense and Educational Fund (MALDEF).

The Southern California portion of the plan includes districts for Los Angeles, Orange, San Diego, San Bernardino, Riverside and Imperial Counties. CAPAFR understands that MALDEF is submitting its own statewide Senate plan but that its plan will include the same district configurations for Southern California that are included in CAPAFR’s Senate plan.

CAPAFR’s response plan, including the Southern California unity portion of the plan, responds to the Commission’s draft Senate plan released on June 10, 2011 and uses the Commission’s draft as a starting point. The CAPAFR’s plan makes modifications to the Commission’s draft where necessary to draw districts potentially required by Section 2 of the Voting Rights Act (VRA) and unify neighborhoods and communities of interest split in the Commission’s draft. The plan also makes modifications to districts in the Commission’s draft that are over 1% population deviation to bring those districts within 1% deviation.

Compliance with Voters First Act’s Redistricting Criteria

The CAPAFR plan is drawn to comply with the redistricting criteria set forth in the Voters First Act. Set forth below is information about the plan’s compliance with three criteria in particular: population equality; VRA compliance; and geographic integrity of cities, counties, communities of interest and neighborhoods.

*Population Equality*

All districts contained in CAPAFR’s response plan are within 1% deviation from the ideal population size of 931,348 persons per Senate district. The Commission’s June 10 draft contained a number of districts above 1% deviation and significant adjustments were made to the

Commission's June 10 draft to bring deviations within 1%.<sup>1</sup> The plan's maximum population deviation is 1.97%.<sup>2</sup>

### *Compliance with Federal Voting Rights Act*

As required by both the Voters First Act and federal supremacy principles, CAPAFR's plan gives priority to drawing districts that are potentially required by Section 2 of the VRA and that avoid retrogression under Section 5 of the VRA.

The plan includes one district in which Asian Americans constitute 38.7% of citizen voting-age population (CVAP), which is District LAWSG. While this district may technically not be required by the VRA because the Asian American CVAP is below the threshold set forth in the first prong of *Thornburg v. Gingles*, this district may constitute an Asian American opportunity district.

The plan avoids the dismantling of districts that currently provide African Americans with an effective opportunity to elect preferred candidates and maintains these opportunities in Districts LAIWC and LAWSC by preserving traditional levels of African American CVAP in those districts, as shown in the chart below.

<b>Current District</b>	<b>Percent BCVP</b>	<b>Proposed District</b>	<b>Percent BCVP</b>
SD 25	39.0%	LAIWC	37.7%
SD 26	33.4%	LAWSC	36.2%

The plan includes 7 districts in which Latinos make up at least 50% of CVAP:

<b>Proposed District</b>	<b>Percent LCVAP</b>
KINGS	52.02%
POMSB	50.81%
ISAND	50.64%
LACVN	50.47%
LADNT	50.46%
RIVMV	50.09%
LALBS	50.06%

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<sup>1</sup> While all districts in the plan are within 1% deviation from ideal size, CAPAFR does not concede that the U.S. or California Constitutions necessarily limit California legislative districts to a deviation of only 1% and believe that new language added to the California Constitution by the Voters First Act leaves the question of whether greater deviations are permissible open to interpretation by the Commission.

<sup>2</sup> Maximum population deviation is defined as the sum of the percentage deviation of the most populated district in the plan and the percentage deviation of the least populated district in the plan.

The unity plan also seeks to comply with Section 5 and avoid retrogression of protected minority voters by ensuring that their ability to elect preferred candidates is not diminished. The following table shows voting-age population (VAP) and CVAP figures in proposed districts containing all or portions of Section 5-covered counties.

Section 5 Covered District	Benchmark District <sup>3</sup>		Proposed District <sup>3</sup>	
	% Latino VAP	% Latino CVAP	% Latino VAP	% Latino CVAP
COAST	26.2%	15.9%	27.31%	17.00%
FOOTH	13.4%	8.6%	19.66%	14.14%
KINGS	66.2%	51.7%	66.59%	52.02%
MERCD	53.5%	37.8%	55.09%	38.92%

### *Geographic Integrity of Cities, Counties, Communities of Interest and Neighborhoods*

CAPAFR's plan keeps together numerous communities of interest, as described in the narrative accompanying each regional map.

CAPAFR's plan splits 55 of 1,506 incorporated cities and census designated places.

### Contents of Plan Submission

In addition to this plan summary, the unity plan submission contains the following:

- Block equivalency files;
- Shape files;
- 13 regional maps showing the plan's 40 proposed districts;
- Tables showing deviation, total population, VAP and CVAP figures for each district; and
- Reports of city splits.

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<sup>3</sup> Voting age and citizen voting age percentages are presented here for Latinos in light of the demographics of California's Section 5-covered counties and because the standard for retrogression in the redistricting context is tied to the protected minority group's ability to elect preferred candidates. CAPAFR does not believe that the plan retrogresses the ability of Asian Americans and African Americans to elect preferred candidates of choice.